

ACTS
OF
THE STATE OF TENNESSEE,
PASSED BY THE
THIRTY-NINTH GENERAL ASSEMBLY.
1875.

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CHAPTER CXXVI.

AN ACT to provide for the changing of County Lines, and vesting the power in the County Courts, and to repeal Section 4 of an Act entitled "An Act to change the county line between the counties of Hawkins and Hamblen, between Monroe and Loudon, between Warren and Van Buren, and between Hawkins and Hamblen.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all of an Act entitled "An Act to provide for the changing of County Lines, and vesting the power in the County Courts," passed March 25th, 1873, be, and the same is hereby repealed.

Passed March 23, 1875.

LEWIS BOND,
Speaker of the House of Representatives.
THOMAS H. PAINE,
Speaker of the Senate.

Approved March 24, 1875.

JAMES D. PORTER,
Governor.

CHAPTER CXXVII.

AN ACT for the preservation of game and birds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter it shall not be lawful for any person to hunt or kill any deer in any county hereinafter designated, from the first day of March to the first day of September in each year. Not lawful to hunt deer, when.

SEC. 2. *Be it further enacted,* That it shall not be lawful for any person to hunt, kill, or capture, from the 1st day of March until 15th day of September in each year, any game bird, as pheasant, grouse, quail, partridge, lark, woodcock, or snipe, nor wild turkey, from 1st of May until 15th of September, nor at any time to kill or capture any of the birds of song, as the mocking-bird, thrush, robin, or oriole, or any birds known to destroy insects, as the sparrow, blue bird, woodpecker, or yellow hammer; Game birds & birds' nests.

nor shall it be lawful for any person at any time to destroy the nests or eggs of any of the above named birds.

Penalty for violation of above.

SEC. 3. *Be it further enacted*, That any person found guilty of violating any of the provisions in the foregoing Sections of this Act, he, she, or they, shall be subject to be fined as follows: For each deer hunted or killed, \$10; for each wild turkey killed, \$5; for every pheasant, quail, partridge, or other of the above named birds, \$2.50, and the same for every bird's nest robbed or destroyed, or any animal or bird captured, bought, or sold, or offered for sale, or for any turkey or partridge caught in a pen or net, at any season of the year.

Justices have jurisdiction.

SEC. 4. *Be it further enacted*, That Justices of the Peace shall have full jurisdiction to try all cases arising under this Act, provided nothing herein contained shall be so construed as to prohibit appeals, under the usual requirements, in such cases.

Fines, how paid and disposed of.

SEC. 5. *Be it further enacted*, That all prosecutions for any of these offenses shall be in the name of the State, and in all cases of conviction and recovery the fine shall be equally divided between the prosecutor, who, in all cases, shall be the owner or person occupying the land at the time whereon the violation may occur, and the county, and the part due the county, shall be paid over to the County Trustee, and held as a part of the school fund of said county; and upon failure to secure said fine, the person so offending shall be imprisoned in the county jail or work-house, as provided in other cases of misdemeanor, until he, or she, or they, may have worked out said fine and costs; *Provided, however*, that any Justice of the Peace, or other court trying the cause, who may have good and satisfactory reason to believe that the prosecution is frivolous or malicious, they are hereby authorized and directed to tax such prosecutors with the costs.

Counties to which applicable.

SEC. 6. *Be it further enacted*, That the provisions of the foregoing Section of this Act shall apply to the counties of Henry, Dyer, Giles, Maury, Davidson, Madison, Hamilton, Bedford, and Wilson.

Unlawful to hunt or trap game without permission of owner of land.

SEC. 7. *Be it further enacted*, That it shall be unlawful for any person in this State to hunt, trap, or net game of any kind, or birds, or destroy the nests thereof on the land of another, except by express permission of the owner or agent first had and obtained, where such owner, by himself or agent, shall have posted notices in one or more conspicuous places on the north, south, east, and west boundaries of his or their lands, which notices shall

be painted or printed on boards or planks, securely nailed to trees or posts; and any person violating the provisions of this Section, either by hunting or killing game or birds, or trapping, or netting, or destroying the nests of the same, or shall deface, or knock or pull down said notices, or any of them, shall, for each offense, be fined ^{Fine.} not less than \$2.50 nor more than \$5, the same to be recovered and distributed as provided in the fourth and fifth Sections of this Act.

SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1875.

LEWIS BOND,
Speaker of the House of Representatives.
THOMAS H. PAINE,
Speaker of the Senate.

Approved March 24, 1875.

JAMES D. PORTER,
Governor.

CHAPTER CXXVIII.

AN ACT for the benefit of Emily L. Herron.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the marriage solemnized between George H. Herron, late private in Company G, 62d Illinois Volunteers, and Mrs. Emily L. Millsworth, of Obion county, on the 25th day of October, 1862, be, and the same is hereby declared to have been legal and valid.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1875.

LEWIS BOND,
Speaker of the House of Representatives.
THOMAS H. PAINE,
Speaker of the Senate.

Approved March 24, 1875.

JAMES D. PORTER,
Governor.